

An
Bord
Pleanála

Board Order
ABP-321412-24

Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: DAC2404501DC

Appeal by Tom McGrath care of Ryan and Associates Limited of 31/32 Fitzwilliam Square, Dublin in relation to the decision made on the 7th day of November, 2024 by Dublin City Council to grant subject to conditions a fire safety certificate under section 6 (2)(a)(ii) of the Building Control Act, 1990, as amended by section 5(a) of the Building Control Act 2007 in respect of demolition of all existing building and construct a nine storey building over a basement level including two number commercial units and 188 number apartments. The apartments will consist of 20 number studio units, 79 number one bedroom units and 89 number two bedroom units, all at Davitt Road, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to conditions numbers 2, 3 and 8 attached to the decision of the Building Control Authority:

AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of the said conditions, that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 7 of the Building Control Act 1990 and by Article 40 (2) of the Building Control Regulations, 1997, and based on the reasons and considerations set out below, hereby directs the said authority to amend the said conditions numbers 2 and 3 and to delete the said condition number 8 and the reasons therefor.

Reasons and Considerations

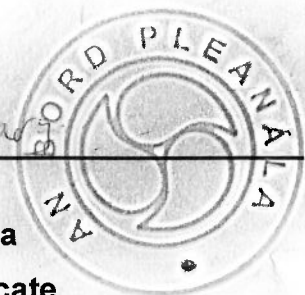
Having regard to the presented design of the proposed development and the accompanying compliance report, to the submissions made in connection with the Disability Access Certificate application and the appeal, and to the report and recommendation of the reporting Inspector, it is considered that it has been demonstrated by the appellant in the Disability Access Certificate application and appeal that the works to which the application and appeal relates would, if constructed in accordance with the plans, specifications and particulars submitted, and subject to compliance with the conditions attached, save condition number 8 which shall be omitted and conditions numbers 2 and 3 which shall be amended, comply with the requirements of Part M of the Second Schedule to the Building Regulations 1997, as amended.

Patricia Callear

Patricia Callear

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this *14* day of *April* 2025.